

## REMARKS

As a preliminary matter, Applicants thank the Examiner for the courtesy extended to their attorney, B. Joe Kim, during the telephone interview conducted on January 23, 2007. In the interview, Applicant's attorney argued mainly that the claimed deflector deflects coffee beans carried by the airflow. In contrast, the cited Gerhardt et al. reference discloses a heat deflector cone for uniformly maintaining heat in the roasting basket. The Examiner suggested that Applicants amend claims 1 and 9 to more clearly recite that the claimed deflector is a "coffee bean deflector," to distinguish from the heat deflector of Gerhardt et al. Independent claims 1 and 9 and some of the dependent claims have been amended as suggested. The arguments presented below traversing the rejection of claims 1, 3-9 and 11-14 reflect the points presented by Applicants' attorney during the interview.

Claims 1, 3-9 and 11-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hatanaka et al. in view of Gerhardt et al. Applicants respectfully traverse this rejection, because the cited references, alone or in combination, do not disclose or suggest the claimed coffee bean deflector positioned above the outlet of the wind tunnel for deflecting coffee beans carried by the airflow exiting the wind tunnel.

The Hatanaka et al. reference discloses a coffee bean roaster which provides both radiant and convection heating for roasting coffee beans. The roaster includes a glass pipe (14) which fits into a roasting chamber (1). The roaster also includes a channel separation cylinder (13) arranged generally concentric with the glass pipe and is spaced above the bottom of the roasting chamber. Coffee beans are carried through the channel

separation cylinder by a hot airflow generated at the bottom of the roasting chamber, and exit the channel separation cylinder through an outlet at the top. The channel separation cylinder of Hatanaka et al. includes an inlet opening through which the beans enter and an outlet opening through which the beans exit the channel separation cylinder. As clearly shown in Fig. 1 of the reference, the device of Hatanaka et al. does not disclose (or suggest) any means, i.e., a coffee bean deflector, for deflecting the coffee beans that exit from the channel separation cylinder, as in the present invention.

The Gerhardt et al. reference discloses a coffee roaster including controls for controlling the roasting parameters of the roasting process. Gerhardt et al. teaches using a roasting basket 21 which rotates to roast and remove chaff from the beans which drop from the rotating basket and collect in a chaff collection tray 34. The beans in the roasting basket 21 are heated by heating elements 31 (not shown in the Figures). The reference teaches that “[h]eat from heating element 31 is uniformly maintained in the roasting basket 21 via inner heat deflector cone 32” (emphasis added) (col. 3, lines 56-57). Thus, Gerhardt et al. teach a heat deflector cone, but does not disclose (or suggest) a coffee bean deflector for deflecting coffee beans carried by the airflow exiting the wind tunnel, as in the present invention.

Neither the Hatanaka et al. reference nor the Gerhardt et al. reference teaches a coffee bean deflector positioned above the outlet of the wind tunnel for deflecting coffee beans carried by the airflow exiting the wind tunnel. Therefore, even if these references were combined, the resulting device still would not disclose or suggest this feature of the

invention. For this reason, independent claims 1 and 9, and their respective dependent 3-8 and 11-14, are allowable over the cited reference.

Claims 15-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hatanaka et al. in view of Helman et al. Applicants respectfully traverse this rejection because the cited references, alone or in combination, do not disclose or suggest the claimed exhaust opening provided on the cover of the roasting chamber. The references also do not disclose or suggest the claimed smoke vent attachment for channeling smoke away from the roaster.

As described in claim 15, the present invention includes a cover seated on the top of the roasting chamber and includes at least one exhaust opening for allowing smoke to exit, while preventing coffee beans and hulls or chaff from escaping through the exhaust opening. A smoke vent attachment is removably mounted on the cover for receiving smoke exiting through the exhaust opening on the cover. The smoke vent attachment includes a plurality of feet for engaging mounting holes on the cover and a plurality of arms for enabling the vent attachment to be connected to an opening of an external vent pipe.

The device of Hatanaka et al. includes a structure 15 which is attached to the top of the glass pipe (14) and connected to a hopper (16). A shutter (17) is provided between the hopper (16) and the structure (15) for allowing coffee beans to be deposited in the roasting chamber (1). “The exhaust of the hot air used for roasting is discharged through the discharge hole (21)” (page 6, third paragraph). In operation, “fresh coffee beans in a predetermined amount, for example, are put into the roasting chamber (1) through the

projection hopper (16) by opening the shutter (17), and the shutter (17) is closed” (emphasis added) (pg. 6, second paragraph).

The structure (15) of Hatanaka et al., which the Examiner equates with the claimed cover, is connected to the hopper by the shutter which is open only to deposit coffee beans into the roasting chamber and then “the shutter (17) is closed.” Accordingly, the structure (15) does not disclose the claimed exhaust opening provided on the cover for allowing smoke from the roasting chamber to exit, since the shutter (17) is closed during the operation when smoke would be produced. Keeping the shutter open during operation would allow coffee beans and chaff to escape through the structure (15). The exhaust opening of the present invention also prevents coffee beans and chaff from escaping. Therefore, the structure (15) of Hatanaka et al. does not disclose or suggest the claimed cover having the exhaust opening. The smoke venting function is performed by the discharge hole (21) in Hatanaka et al.

The Examiner contends that the structure (16) of Hatanaka et al. is “capable of functioning as a smoke vent attachment” of the present invention. The Hatanaka et al. reference clearly and expressly states that the projection hopper 16 is for putting fresh coffee beans into the roasting chamber (1). The reference simply does not disclose, suggest or teach that the projection hopper (16) is “capable of functioning as a smoke vent attachment,” as asserted by the Examiner.

Moreover, with respect to the plurality of feet and arm structures that are provided on the smoke vent attachment, the Examiner merely states that “it would have been

an obvious matter of design choice to have these features as recited in the claims. Applicants disagree, and respectfully request that the Examiner provide support for his position.


The Examiner further cites the Helman et al. reference for disclosing the claimed smoke vent attachment of the present invention. A top 178 having a centrally located hole 180 is referred to as disclosing the claimed smoke vent attachment. Contrary to the Examiner's assertion, the top 178 is not for venting smoke. Rather, the top 178 provides a hole 180 through which a measured amount of corn kernels are poured into for popping in the chamber 94. During operation, the hole 180 is covered with a measuring disk 207. Rather than the top 178, the Helman et al. reference provides holes 176 for venting access heat from the popcorn maker 10 (see col. 11, lines 41-43 and Fig. 1).

Moreover, the cylinder 186, referred to by the Examiner as disclosing the elongated external vent pipe for channeling the smoke away from the roaster, is for carrying the corn kernels dropped through the hole 180 in the top 178. The cylinder 186 in no way performs the function of venting smoke. Accordingly, the Helman et al. reference also does not disclose or suggest the claimed exhaust opening in the cover, nor the smoke vent attachment as described in claim 15. Accordingly, even if Helman et al. were combined with Hatanaka et al., the resulting device still would not disclose or suggest the claimed cover and smoke vent attachment features of the present invention. For these reasons, claims 15-18 are allowable over Hatanaka et al. and Helman et al., alone or in combination.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. The Examiner should contact Applicants' undersigned attorney if a telephone conference would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By 

B. Joe Kim

Registration No. 41,895

February 16, 2007

Suite 2500  
300 South Wacker Drive  
Chicago, Illinois 60606  
(312) 360-0080  
Customer No. 24978